

**COMMITTEE ON COUNCIL
AGENDA
MAY 1, 2006**

- A. ADOPTION OF AGENDA**
- B. APPROVAL OF MINUTES**
- C. ADOPTION OF FULL COUNCIL AGENDA**
- D. COMMUNICATIONS**

- 06-C-0812 (1) A Communication by Mayor Shirley Franklin appointing **Reverend W. L. Cottrell, Sr.** to serve as a member of the Westside TAD Neighborhood Advisory Board in the Church Category for the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee 4/25/06))**
- 06-C-0881 (2) A Communication by Mayor Shirley Franklin appointing **Ms. Amanda Shailendra** to serve as a member of the Atlanta Sister Cities Commission for the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable on substitute by Finance/Executive Committee 4/26/06)**

E. ORDINANCES/CHARTER AMENDMENTS – SECOND READING, FIRST ADOPTION

- 06-O-0918 (1) An Ordinance and Charter Amendment by Committee on Council adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, p.298, et seq.) as amended, to amend Subsection (d) of Section 2-302 (entitled, "Rules; Quorum; Voting.") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p4469, et seq.), approved April 15, 1996, as amended, so as to include the requirement that any member of Council who has a financial or personal interest or a conflict of interest as provided in Chapter 4 of Article 5 of the City Charter, shall also disclose such interest by filing a written memorandum with the Municipal Clerk; to repeal conflicting ordinances and Charter Provisions; and for other purposes.

Committee on Council Agenda

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E. ORDINANCES/CHARTER AMENDMENTS – SECOND READING, FIRST ADOPTION (Cont'd)

- 06-O-0919 (2) An Ordinance and Charter Amendment by Committee on Council adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, p.298, et seq.) as amended, to amend Subsection (e) of Section 2-303 (entitled, "Meetings.") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, so as to provide that the Council shall hold one Public Hearing in conjunction with an Annual Budget Hearing to receive comments from citizens concerning city services; to repeal conflicting ordinances and Charter Provisions; and for other purposes.
- 06-O-0920 (3) An Ordinance and Charter Amendment by Committee on Council adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, p.298, et seq.) as amended, to amend Subsections (a) and (c) of Section 2-307 (entitled, "Municipal Clerk") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, so as to make certain technical changes regarding the position of Municipal Clerk; to repeal conflicting ordinances and Charter Provisions; and for other purposes.
- 06-O-0921(4) An Ordinance and Charter Amendment by Committee on Council adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, p.298, et seq.) as amended, to amend Subsection (c) (3) (entitled "Director of Council Staff") of Section 2-308 (entitled, "Staff of Council and President of the Council") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, so as provide that the committee designated by the Council may act through its chairperson with regard to the direction and supervision of the Director of Council staff; to repeal conflicting ordinances and Charter Provisions; and for other purposes.

E. ORDINANCES/CHARTER AMENDMENTS – SECOND READING, FIRST ADOPTION – (Cont'd)

- 06-O-0922 (5) An Ordinance and Charter Amendment by Committee on Council adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, p.298, et seq.) as amended, to amend Subsection (e) and the concluding sentence of Section 2-402 (entitled, "Introduction, Consideration, Passage, and Publication of Legislation") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, by deleting Subsections (e) (3) and (4) pertaining to the publication of electronic legible copies on the Atlanta Fulton County Library Network and on cable Chanel 26 and by making certain technical changes to the concluding sentence of said Section 2-402; to repeal conflicting ordinances and Charter Provisions; and for other purposes.
- 06-O-0923 (6) An Ordinance and Charter Amendment by Committee on Council adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, p.298, et seq.) as amended, to amend Section 2-403 (entitled, "Submission to Mayor; Mayor's Veto") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, so as to provide that the return of the Mayor's Veto to the Council, shall be via the Municipal Clerk; to repeal conflicting ordinances and Charter Provisions; and for other purposes.

Committee on Council Agenda

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E. ORDINANCES/CHARTER AMENDMENTS – SECOND READING, FIRST ADOPTION – (Cont’d)

- 06-O-0924 (7) An Ordinance and Charter Amendment by Committee on Council adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, p.298, et seq.) as amended, to amend Section 5-402 (a) and (b) (entitled, "Disclosures") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, so as to correct an omission in Subsection (a) and to conform the language of Subsection (b) to the current practice; to repeal conflicting ordinances and Charter Provisions; and for other purposes.
- 06-O-0925 (8) An Ordinance and Charter Amendment by Committee on Council adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, p.298, et seq.) as amended, to amend Subsection (a) of Section 6-304 (entitled, "Budget Amendments") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, so as to provide that legislation regarding budgeted contracts pertaining to agencies under the jurisdiction of other committees do not require the approval or disapproval of the Finance Committee; to repeal conflicting ordinances and Charter Provisions; and for other purposes
- 06-O-0926(9) An Ordinance and Charter Amendment by Committee on Council adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, p.298, et seq.) as amended, to amend Section 6-309 (entitled, ("Accounting Systems") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, so as to change the requirement for the submission of financial statements by the Chief Financial Officer from monthly to quarterly; to repeal conflicting ordinances and Charter Provisions; and for other purposes.

E. ORDINANCES/CHARTER AMENDMENTS – SECOND READING, FIRST ADOPTION – (Cont’d)

06-O-0927 (10) An Ordinance and Charter Amendment by Committee on Council adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, p.298, et seq.) as amended, to amend Section 6-310 (entitled, "Increase in Salaries") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, so as to extend the time to increase salaries or other remuneration from the third month of the fiscal year to the sixth month of the fiscal year; to delete the last sentence thereof which has become obsolete; to repeal conflicting ordinances and Charter Provisions; and for other purposes.

F. ORDINANCES FOR FIRST READING

06-O-0970 (1) An Ordinance by Committee on Council to amend Chapter Two, Article II, Division 2, Subdivision II, Section 2-94 (Entitled, "Use of Robert's Rules of Order") of the Code of Ordinances of the City of Atlanta, by deleting references to the Seventh Edition of the Publication; to waive conflicting ordinances; and for other purposes.

06-O-0971 (2) An Ordinance by Committee on Council to amend Chapter Two, Article II, Division 1, Section 2-36 (d) (Entitled President of Council") of the Code of Ordinances of the City of Atlanta so as to provide that votes of Council may be taken by voice or electronic means, that any member of Council may have the right to require a voice vote, and that the President shall vote only in case of a tie vote of the members of Council; to waive conflicting ordinances; and for other purposes.

06-O-0972 (3) An Ordinance by Committee on Council to amend Chapter Two, Article II, Division 2, Subdivision II, Section 2-102 (Entitled, "Vote taken Viva Voce in all elections,") of the Code of Ordinances of the City of Atlanta, so as to make Viva Voce Voting Optional for all elections by the City Council; to waive conflicting ordinances; and for other purposes.

F. ORDINANCES FOR FIRST READING, (Cont'd)

- 06-O-0973 (4) An Ordinance by Committee on Council to amend Chapter Two, Article II, Division 4, Section 2-151 (b) (Entitled "Sergeant at Arms") of the Code of Ordinances of the City of Atlanta, so as to remove certain employment qualifications from the position of Sergeant at Arms; to declare that the Sergeant at Arms shall receive no remuneration for his/her discharge of duties; to waive conflicting ordinances; and for other purposes.
- 06-O-0974 (5) An Ordinance by Committee on Council to amend Chapter Two, Article II, Division 1, Section 2-38 (Entitled "Confirmation of Appointments by Mayor"), of the Code of Ordinances of the City of Atlanta, so as to provide that action on the Mayor's Appoints shall only require a simple majority vote by the members of City Council; to waive conflicting ordinances; and for other purposes.
- 06-O-0975 (6) An Ordinance to create a new Section 2-47 of the Code of Ordinances of the City of Atlanta, Georgia to be entitled ("Director of Council Staff; Municipal Clerk") which shall provide that each Council Member shall have equal access and equal authority with respect to the duties and responsibilities of the Director of Council Staff and the Municipal Clerk; to waive conflicting ordinances; and for other purposes.
- 06-O-0976 (7) An Ordinance by Committee on Council to amend Chapter Two, Article II, Division 3, Subdivision I, Section 2-134 (Entitled, "Powers and Duties") of the Code of Ordinances of the City of Atlanta, so as to conform the language of Subsection (a) to reflect the current practice of the City Council; to delete obsolete text; and to make certain technical changes; to waive conflicting ordinances; and for other purposes.

Committee on Council Agenda
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F. ORDINANCES FOR FIRST READING, (Cont'd)

- 06-O-0977 (8) An Ordinance by Committee on Council to amend Chapter Two, Article II, Division 3, Subsection I, Sections 2-135(a)(3), 2-135 (a)(4), 2-135(a)(5), 2-135 (a)(6), and 2-135(a)(7), (Entitled, "Jurisdiction of Standing Committees") of the Code of Ordinances of the City of Atlanta, so as to revise and clarify the areas of jurisdiction for the Committee on City Utilities, the Committee on Community Development and Human Resources, the Committee on Finance and Executive, the committee on Zoning and the Committee on Council; to waive conflicting Ordinances; and for other purposes.
- 06-O-0978 (9) An Ordinance by Committee on Council to amend Chapter Two, Article II, Division 2, Subdivision II, Section 2-101 (d) (Entitled "Debate") of the Code of Ordinances of the City of Atlanta, so as to clarify the method Councilmembers may use to seek recognition before speaking during City Council Meetings; to waive conflicting ordinances; ; and for other purposes.
- 06-O-0979 (10) An Ordinance by Committee on Council to amend Chapter Two, Article II, Division 3, Subdivision I, Sections 2-132 (b), 2-132 (d), and 2-132(g) (Entitled, "Appointment; Term; Vacancy.") of the code of Ordinances of the City of Atlanta, so as to clarify the times for appointment of City Council Members to City Council Committees, to provide that Committee Chairpersons shall join the Council President in scheduling the day and time of City Council Committee Meetings; to waive conflicting ordinances; and for other purposes.
- 06-O-0980 (11) An Ordinance by Committee on Council to amend Section 2-801 (4) of the Code of Ordinances of the City of Atlanta, Georgia (the Definition Section of the Ethics Code) so as to exclude from the definition of "Gratuity", hospitality or meals from any source having a value of \$50.00 or less; to waive conflicting ordinances; and for other purposes.

G. ITEMS NOT ON THE AGENDA

H. ADJOURNMENT



06-*C*-0812

CITY OF ATLANTA

SHIRLEY FRANKLIN
MAYOR

55 TRINITY AVENUE, S.W.
ATLANTA, GEORGIA 30303-0300
TEL (404) 330-6100

April 17, 2006

President Lisa Borders and
Members of Atlanta City Council
City Hall, Suite 2900 South
68 Mitchell St., S.W.
Atlanta, Georgia 30303

RE: Westside Tax Allocation District (TAD) Neighborhood Advisory Board Appointment

Dear President Borders and Members of the Council:

It is a pleasure for me to appoint Reverend W. L. Cottrell, Sr. to serve as a member of the Westside TAD Neighborhood Advisory Board in the Church Category for the City of Atlanta. This appointment is for a **term of two (2) years**.

I am confident that Rev. Cottrell will serve the Westside TAD Neighborhood Advisory Board with integrity and dedication.

Sincerely,

Shirley Franklin

D-1



06-C-0881

CITY OF ATLANTA

SHIRLEY FRANKLIN
MAYOR

55 TRINITY AVENUE, S.W.
ATLANTA, GEORGIA 30303-0300
TEL (404) 330-6100

Substitute Communication: 06-C-0881

April 17, 2006

President Borders and
Members of Atlanta City Council
City Hall, Suite 2900 South
68 Mitchell St., S.W.
Atlanta, Georgia 30303

RE: Atlanta Sister Cities Commission Appointment

Dear President Borders and Members of the Council:

It is a pleasure for me to appoint Amanda Shailendra to serve as a member of the Atlanta Sister Cities Commission for the City of Atlanta. This appointment is for a **term of two (2) years**.

I am confident that Ms. Shailendra will serve the Atlanta Sister Cities Commission with integrity and dedication.

Sincerely,



Shirley Franklin

D-2

AN ORDINANCE

BY COMMITTEE ON COUNCIL

06-0918

AN ORDINANCE AND CHARTER AMENDMENT ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965 (GA. LAWS 1965, P.298, ET SEQ.) AS AMENDED, TO AMEND SUBSECTION (d) OF SECTION 2-302 (ENTITLED, "RULES; QUORUM; VOTING.") OF THE CHARTER OF THE CITY OF ATLANTA, GEORGIA (GA. LAWS 1996, P.4469, ET SEQ.), APPROVED APRIL 15, 1996, AS AMENDED, SO AS TO INCLUDE THE REQUIREMENT THAT ANY MEMBER OF COUNCIL WHO HAS A FINANCIAL OR PERSONAL INTEREST OR A CONFLICT OF INTEREST AS PROVIDED IN CHAPTER 4 OF ARTICLE 5 OF THE CITY CHARTER, SHALL ALSO DISCLOSE SUCH INTEREST BY FILING A WRITTEN MEMORANDUM WITH THE MUNICIPAL CLERK; TO REPEAL CONFLICTING ORDINANCES AND CHARTER PROVISIONS; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: Subsection (d) of Section 2-302 (entitled "Rules; quorum; voting") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p. 4469, et seq.), approved April 15, 1996, as amended, which currently provides as follows:

(d) No member of the council, or the president of the council, shall vote on matters involving the consideration of his or her own conduct, which would inure to his or her financial or personal interests, or which would be a conflict of interest as provided in Chapter 4 of Article 5 herein or by ordinance. Such member of the council shall, prior to the vote being taken, publicly state the nature of his or her interest in the matter from which he or she is abstaining from voting.

is hereby amended so as to provide as follows:

(d) No member of the council, or the president of the council, shall vote on matters involving the consideration of his or her own conduct, which would inure to his or her financial or personal interests, or which would be a conflict of interest as provided in Chapter 4 of Article 5 herein or by ordinance. Such member of the council shall disclose such interest in writing by filing a written memorandum with the municipal clerk.

Prior to the vote being taken, such member shall publicly state the nature of his or her interest in the matter from which he or she is abstaining from voting.

Section 2: A copy of this proposed amendment to the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, shall be filed in the Office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties and that a "Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia", attached hereto as Exhibit "A" and by reference, made a part hereof, be published in the official organ of the county of the legal situs of the City of Atlanta or in a newspaper of general circulation in the City of Atlanta once a week for three weeks within a period of 60 days immediately preceding its final adoption, and that a copy of said advertisement shall be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta.

Section 3: All ordinances and Charter Amendments and parts of ordinances and Charter Amendments in conflict herewith, are hereby repealed.

EXHIBIT "A"

**NOTICE OF PROPOSED AMENDMENT TO THE CHARTER
OF THE CITY OF ATLANTA, GEORGIA**

Notice is hereby given that an ordinance has been introduced to amend Subsection (d) of Section 2-302 (entitled "Rules; quorum; voting") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p. 4469, et seq.), approved April 15, 1996, as amended, so as to include the requirement that any member of council who has a personal or financial interest or a conflict of interest as provided in Chapter 4 of Article 5 of the City Charter, shall also disclose such interest by filing a written memorandum with the municipal clerk.

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties , Georgia, for purposes of examination and inspection by the public.

This _____ day of _____, 2006.

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta

RCS# 198
4/17/06
2:56 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-0918 06-O-0919 06-O-0920 0921 0922
06-O-0923 06-O-0924 06-O-0925 0926 0927
REFER 1ST READ

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	B Martin	Y Norwood
Y Young	NV Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Sheperd	NV Borders

MULTIPLE

CITY COUNCIL
ATLANTA, GEORGIA

AN ORDINANCE

BY COMMITTEE ON COUNCIL

06-0-0919

AN ORDINANCE AND CHARTER AMENDMENT ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965 (GA. LAWS 1965, P.298, ET SEQ.) AS AMENDED, TO AMEND SUBSECTION (e) OF SECTION 2-303 (ENTITLED, "MEETINGS.") OF THE CHARTER OF THE CITY OF ATLANTA, GEORGIA (GA. LAWS 1996, P.4469, ET SEQ.), APPROVED APRIL 15, 1996, AS AMENDED, SO AS TO PROVIDE THAT THE COUNCIL SHALL HOLD ONE PUBLIC HEARING IN CONJUNCTION WITH AN ANNUAL BUDGET HEARING TO RECEIVE COMMENTS FROM CITIZENS CONCERNING CITY SERVICES; TO REPEAL CONFLICTING ORDINANCES AND CHARTER PROVISIONS; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: Subsection (e) of Section 2-303 (entitled "Meetings") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p. 4469, et seq.), approved April 15, 1996, as amended, which currently provides as follows:

(e) The council shall hold three public hearings during the year to receive comments from citizens concerning city services. The public hearings shall take place on the first Tuesday in April, August and December of each year.

is hereby amended so as to provide as follows:

(e) The council shall hold one public hearing in conjunction with an annual budget hearing to receive comments from citizens concerning city services, notice of which shall be published in a newspaper of general circulation in the city at least seven days prior to the date set therefor.

Section 2: A copy of this proposed amendment to the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.),

approved April 15, 1996, as amended, shall be filed in the Office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties and that a "Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia", attached hereto as Exhibit "A" and by reference, made a part hereof, be published in the official organ of the county of the legal situs of the City of Atlanta or in a newspaper of general circulation in the City of Atlanta once a week for three weeks within a period of 60 days immediately preceding its final adoption, and that a copy of said advertisement shall be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta.

Section 3: All ordinances and Charter Amendments and parts of ordinances and Charter Amendments in conflict herewith, are hereby repealed.

EXHIBIT "A"

NOTICE OF PROPOSED AMENDMENT TO THE CHARTER

OF THE CITY OF ATLANTA, GEORGIA

City of Notice is hereby given that an ordinance has been introduced to amend Subsection (e) of Section 2-303 (entitled "Meetings") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p. 4469, et seq.), approved April 15, 1996, as amended, so as provide that the council shall hold one public hearing in conjunction with an annual budget hearing to receive comments from citizens concerning city services.

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties , Georgia, for purposes of examination and inspection by the public.

This _____ day of _____, 2006.

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta

RCS# 198
4/17/06
2:56 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-0918 06-O-0919 06-O-0920 0921 0922
06-O-0923 06-O-0924 06-O-0925 0926 0927
REFER 1ST READ

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	B Martin	Y Norwood
Y Young	NV Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Sheperd	NV Borders

MULTIPLE

AN ORDINANCE

06-0-0920

BY COMMITTEE ON COUNCIL

AN ORDINANCE AND CHARTER AMENDMENT ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965 (GA. LAWS 1965, P.298, ET SEQ.) AS AMENDED, TO AMEND SUBSECTIONS (a) AND (c) OF SECTION 2-307 (ENTITLED, "MUNICIPAL CLERK") OF THE CHARTER OF THE CITY OF ATLANTA, GEORGIA (GA. LAWS 1996, P.4469, ET SEQ.), APPROVED APRIL 15, 1996, AS AMENDED, SO AS TO MAKE CERTAIN TECHNICAL CHANGES REGARDING THE POSITION OF MUNICIPAL CLERK; TO REPEAL CONFLICTING ORDINANCES AND CHARTER PROVISIONS; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: Subsections (a) and (c) of Section 2-307 (entitled, "Municipal clerk") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, which currently provide as follows:

(a) There shall be a municipal clerk, who shall be appointed and removed by the council in accordance with this section. To be eligible to occupy this position, the municipal clerk must be designated a certified municipal clerk by the Georgia Municipal Association and the Georgia Finance Officers Association, or by an equivalent certifying agency from another state, or must receive such certification within one year following his or her appointment. The municipal clerk shall be appointed and removed at the pleasure of the council upon a majority vote of its membership. The municipal clerk need not be a resident of the city at the time of his or her appointment but shall establish residence in the city at the time of appointment and continue to reside in the city throughout such appointment.

(c) The municipal clerk shall be responsible to the council and perform the duties of his or her office under the direction and supervision of the president of the council and the committee designated by the council, acting through its chairperson.

is hereby amended so as to provide as follows:

(a) There shall be a municipal clerk, who shall be appointed by the council and who shall not be a member thereof. To be eligible to occupy this position, the municipal clerk must be designated a certified municipal clerk by the Georgia Municipal Clerks and Finance Officers Association, or by an equivalent certifying agency from another state, or must receive such certification within one year following his or her appointment. The municipal clerk shall be appointed and removed at the pleasure of the council upon a

majority vote of its membership. The municipal clerk need not be a resident of the city at the time of his or her appointment but shall establish residence in the city at the time of appointment and continue to reside in the city throughout such appointment.

(c) The municipal clerk shall be responsible to the council and shall perform the duties of his or her office under the direction and supervision of the president of the council and the committee designated by the council, acting through its chairperson.

Section 2: A copy of this proposed amendment to the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, shall be filed in the Office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties and that a "Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia", attached hereto as Exhibit "A" and by reference, made a part hereof, be published in the official organ of the county of the legal situs of the City of Atlanta or in a newspaper of general circulation in the City of Atlanta once a week for three weeks within a period of 60 days immediately preceding its final adoption, and that a copy of said advertisement shall be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta.

Section 3: All ordinances and Charter Amendments and parts of ordinances and Charter Amendments in conflict herewith, are hereby repealed.

EXHIBIT "A"

**NOTICE OF PROPOSED AMENDMENT TO THE CHARTER
OF THE CITY OF ATLANTA, GEORGIA**

Notice is hereby given that an ordinance has been introduced to amend Subsections (a) and (c) of Section 2-307 (entitled, "Municipal clerk") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, so as to make certain technical changes regarding the position of municipal clerk.

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties , Georgia, for purposes of examination and inspection by the public.

This _____ day of _____, 2006.

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta

RCS# 198
4/17/06
2:56 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-0918 06-O-0919 06-O-0920 0921 0922
06-O-0923 06-O-0924 06-O-0925 0926 0927
REFER 1ST READ

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	B Martin	Y Norwood
Y Young	NV Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Sheperd	NV Borders

MULTIPLE

AN ORDINANCE

06-0-0921

BY COMMITTEE ON COUNCIL

AN ORDINANCE AND CHARTER AMENDMENT ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965 (GA. LAWS 1965, P.298, ET SEQ.) AS AMENDED, TO AMEND SUBSECTION (c) (3) (ENTITLED "DIRECTOR OF COUNCIL STAFF") OF SECTION 2-308 (ENTITLED, "STAFF OF COUNCIL AND PRESIDENT OF THE COUNCIL") OF THE CHARTER OF THE CITY OF ATLANTA, GEORGIA (GA. LAWS 1996, P.4469, ET SEQ.), APPROVED APRIL 15, 1996, AS AMENDED, SO AS PROVIDE THAT THE COMMITTEE DESIGNATED BY THE COUNCIL MAY ACT THROUGH ITS CHAIRPERSON WITH REGARD TO THE DIRECTION AND SUPERVISION OF THE DIRECTOR OF COUNCIL STAFF; TO REPEAL CONFLICTING ORDINANCES AND CHARTER PROVISIONS; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: Subsection (c) (3) (entitled "Director of council staff") of section 2-308 (entitled, "Staff of council and president of the council") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, which currently provides as follows:

(c) (3) The director of council staff shall be responsible to the council, and shall perform the duties of his or her office under the direction and supervision of the president of the council and the committee designated by the council.

is hereby amended so as to provide as follows:

(c) (3) The director of council staff shall be responsible to the council, and shall perform the duties of his or her office under the direction and supervision of the president of the council and the committee designated by the council, acting through its chairperson.

Section 2: A copy of this proposed amendment to the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, shall be filed in the Office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb

Counties and that a "Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia", attached hereto as Exhibit "A" and by reference, made a part hereof, be published in the official organ of the county of the legal situs of the City of Atlanta or in a newspaper of general circulation in the City of Atlanta once a week for three weeks within a period of 60 days immediately preceding its final adoption, and that a copy of said advertisement shall be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta.

Section 3: All ordinances and Charter Amendments and parts of ordinances and Charter Amendments in conflict herewith, are hereby repealed.

EXHIBIT "A"

**NOTICE OF PROPOSED AMENDMENT TO THE CHARTER
OF THE CITY OF ATLANTA, GEORGIA**

Notice is hereby given that an ordinance has been introduced to amend Subsection (c) (3) (entitled "Director of council staff") of section 2-308 (entitled, "Staff of council and president of the council") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, so as provide that the committee designated by the council may act through its chairperson with regard to the direction and supervision of the director of council staff.

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties , Georgia, for purposes of examination and inspection by the public.

This _____ day of _____, 2006.

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta

RCS# 198
4/17/06
2:56 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-0918 06-O-0919 06-O-0920 0921 0922
06-O-0923 06-O-0924 06-O-0925 0926 0927
REFER 1ST READ

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	B Martin	Y Norwood
Y Young	NV Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Sheperd	NV Borders

MULTIPLE

06-0-0922

AN ORDINANCE

BY COMMITTEE ON COUNCIL

AN ORDINANCE AND CHARTER AMENDMENT ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965 (GA. LAWS 1965, P.298, ET SEQ.) AS AMENDED, TO AMEND SUBSECTION (e) AND THE CONCLUDING SENTENCE OF SECTION 2-402 (ENTITLED, "INTRODUCTION, CONSIDERATION, PASSAGE, AND PUBLICATION OF LEGISLATION") OF THE CHARTER OF THE CITY OF ATLANTA, GEORGIA (GA. LAWS 1996, P.4469, ET SEQ.), APPROVED APRIL 15, 1996, AS AMENDED, BY DELETING SUBSECTIONS (e) (3) AND (4) PERTAINING TO THE PUBLICATION OF ELECTRONIC LEGIBLE COPIES ON THE ATLANTA FULTON COUNTY LIBRARY NETWORK AND ON CABLE CHANEL 26 AND BY MAKING CERTAIN TECHNICAL CHANGES TO THE CONCLUDING SENTENCE OF SAID SECTION 2-402; TO REPEAL CONFLICTING ORDINANCES AND CHARTER PROVISIONS; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: Subsection (e) of section 2-402 (entitled, "Introduction, consideration, passage, and publication of legislation") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, which currently provides as follows:

(e) Within seven days after any ordinance has been introduced, excluding emergency ordinances, the caption or title of every such ordinance, showing its general contents, shall be published and disseminated at least once in the following places and forums:

- (1) At least one printed legible copy of such caption or title shall be made available for inspection by the public in the office of the municipal clerk;
- (2) At least one electronic legible copy of such caption or title shall be published in readable form on the City Council Home Page of the Internet;
- (3) At least one electronic legible copy of such caption or title shall be published in readable form on the Atlanta Fulton County Library Network; and

(4) At least one electronic legible copy of such caption or title shall be published in readable form on Channel 6, the city channel, cable television distributed within the City of Atlanta. Also, copies of all ordinances shall be available for inspection and copying by members of the public in the office of the municipal clerk in accordance with the provisions of the Georgia Open Records Act, as amended.

is hereby amended by deleting items (3) and (4); deleting from the concluding sentence the word "Also" and substituting the words "or purchase" for the word "copying", so that when amended, said subsection (e) shall provide as follows:

(e) Within seven days after any ordinance has been introduced, excluding emergency ordinances, the caption or title of every such ordinance, showing its general contents, shall be published and disseminated at least once in the following places and forums:

- (1) At least one printed legible copy of such caption or title shall be made available for inspection by the public in the office of the municipal clerk;
- (2) At least one electronic legible copy of such caption or title shall be published in readable form on the official city of Atlanta web site.

Copies of all ordinances shall be available for inspection and/or purchase by members of the public in the office of the municipal clerk in accordance with the provisions of the Georgia Open Records Act, as amended.

Section 2: A copy of this proposed amendment to the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, shall be filed in the Office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties and that a "Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia", attached hereto as Exhibit "A" and by reference, made a part hereof, be published in the official organ of the county of the legal situs of the City of Atlanta or in a newspaper of general circulation in the City of Atlanta once a week for three weeks within a period of 60 days immediately preceding its final adoption, and that a copy of said advertisement shall be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta.

Section 3: All ordinances and Charter Amendments and parts of ordinances and Charter Amendments in conflict herewith, are hereby repealed.

EXHIBIT "A"

**NOTICE OF PROPOSED AMENDMENT TO THE CHARTER
OF THE CITY OF ATLANTA, GEORGIA**

Notice is hereby given that an ordinance has been introduced to amend Subsection (e) and the concluding sentence of section 2-402 (entitled, "Introduction, consideration, passage, and publication of legislation") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, by deleting subsections (e) (3) and (4) pertaining to the publication of electronic legible copies on the Atlanta Fulton county library network and on cable Chanel 26 and by making certain technical changes to the concluding sentence of said section 2-402.

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties , Georgia, for purposes of examination and inspection by the public.

This _____ day of _____, 2006.

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta

RCS# 198
4/17/06
2:56 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 06-O-0918 06-O-0919 06-O-0920 0921 0922
 06-O-0923 06-O-0924 06-O-0925 0926 0927
 REFER 1ST READ

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	B Martin	Y Norwood
Y Young	NV Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Sheperd	NV Borders

MULTIPLE

AN ORDINANCE

06-0 -0923

BY COMMITTEE ON COUNCIL

AN ORDINANCE AND CHARTER AMENDMENT ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965 (GA. LAWS 1965, P.298, ET SEQ.) AS AMENDED, TO AMEND SECTION 2-403 (ENTITLED, "SUBMISSION TO MAYOR; MAYOR'S VETO") OF THE CHARTER OF THE CITY OF ATLANTA, GEORGIA (GA. LAWS 1996, P.4469, ET SEQ.), APPROVED APRIL 15, 1996, AS AMENDED, SO AS TO PROVIDE THAT THE RETURN OF THE MAYOR'S VETO TO THE COUNCIL, SHALL BE VIA THE MUNICIPAL CLERK; TO REPEAL CONFLICTING ORDINANCES AND CHARTER PROVISIONS; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: Section 2-403 (entitled, "Submission to mayor; mayor's veto") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, which currently provides as follows:

Every ordinance or resolution adopted by the council shall be signed by the president of the council, certified by the municipal clerk, and presented to the mayor's office within two calendar days following its adoption. The mayor shall approve or veto the ordinance or resolution within eight calendar days after adoption, and no ordinance or resolution shall become effective without the mayor's approval except as herein provided. If the mayor vetoes an ordinance or resolution, he or she shall within two business days of such veto return it to the council accompanied by a written statement of the reasons for the veto. If the council shall pass the ordinance or resolution by a vote of two-thirds of its total membership at the regular meeting next held after the ordinance or resolution has been returned with the mayor's veto, it shall become law without his or her approval. In the event the mayor does not approve or veto the ordinance or resolution within the time required, it shall become law without such approval. The mayor may veto any item or items of any ordinance or resolution making appropriations; the part or parts of any ordinance or resolution making an appropriation which is not vetoed shall become law, and the part or parts vetoed shall not become law unless passed by the council over the mayor's veto as provided herein with respect to the passage of a vetoed ordinance or resolution.

is hereby amended as follows:

EXHIBIT "A"

**NOTICE OF PROPOSED AMENDMENT TO THE CHARTER
OF THE CITY OF ATLANTA, GEORGIA**

Notice is hereby given that an ordinance has been introduced to amend Section 2-403 (entitled, "Submission to mayor; mayor's veto") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, so as to provide that the return of the mayor's veto to the council, shall be via the municipal clerk.

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties, Georgia, for purposes of examination and inspection by the public.

This _____ day of _____, 2006.

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta

RCS# 198
4/17/06
2:56 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 06-O-0918 06-O-0919 06-O-0920 0921 0922
06-O-0923 06-O-0924 06-O-0925 0926 0927
REFER 1ST READ

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	B Martin	Y Norwood
Y Young	NV Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Sheperd	NV Borders

MULTIPLE

AN ORDINANCE

06-O-0924

BY COMMITTEE ON COUNCIL

AN ORDINANCE AND CHARTER AMENDMENT ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965 (GA. LAWS 1965, P.298, ET SEQ.) AS AMENDED, TO AMEND SECTION 5-402 (a) AND (b) (ENTITLED, "DISCLOSURES") OF THE CHARTER OF THE CITY OF ATLANTA, GEORGIA (GA. LAWS 1996, P.4469, ET SEQ.), APPROVED APRIL 15, 1996, AS AMENDED, SO AS TO CORRECT AN OMISSION IN SUBSECTION (a) AND TO CONFORM THE LANGUAGE OF SUBSECTION (b) TO THE CURRENT PRACTICE; TO REPEAL CONFLICTING ORDINANCES AND CHARTER PROVISIONS; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: Section 5-402 (a) and (b) (entitled, "Disclosures") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, which currently provides as follows:

(a) Any elected official, appointed officer, or employee who has any financial interest, directly or indirectly, in any contract or matter pending before or within any office, department, or agency of the city shall disclose such interest in writing to the council by filing a written memorandum with the municipal clerk. Any elected official who has a financial interest in any contract or matter before the council shall disclose such interest as provided in Article within this Charter.

(b) Any elected official shall disclose publicly the identity of any relative, as defined in the code of ordinances, employed by the city, prior to January 31 of each year by filing a written memorandum with the municipal clerk on such form as prescribed by the council.

is hereby amended as follows:

(a) Any elected official, appointed officer, or employee who has any financial interest, directly or indirectly, in any contract or matter pending before or within any office, department, or agency of the city shall disclose such interest in writing to the council by filing a written memorandum with the municipal clerk. Any elected official who has a financial interest in any contract or matter before the council shall disclose such interest as provided in Article 2 within this Charter.

EXHIBIT "A"

**NOTICE OF PROPOSED AMENDMENT TO THE CHARTER
OF THE CITY OF ATLANTA, GEORGIA**

Notice is hereby given that an ordinance has been introduced to amend Section 5-402 (a) and (b) (entitled, "Disclosures") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, so as to correct an omission in subsection (a) and to conform the language of subsection (b) to the current practice.

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties , Georgia, for purposes of examination and inspection by the public.

This _____ day of _____, 2006.

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta

RCS# 198
4/17/06
2:56 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-0918 06-O-0919 06-O-0920 0921 0922
06-O-0923 06-O-0924 06-O-0925 0926 0927
REFER 1ST READ

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	B Martin	Y Norwood
Y Young	NV Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Sheperd	NV Borders

MULTIPLE

AN ORDINANCE

06- 0-0925

BY COMMITTEE ON COUNCIL

AN ORDINANCE AND CHARTER AMENDMENT ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965 (GA. LAWS 1965, P.298, ET SEQ.) AS AMENDED, TO AMEND SUBSECTION (a) OF SECTION 6-304 (ENTITLED, "BUDGET AMENDMENTS") OF THE CHARTER OF THE CITY OF ATLANTA, GEORGIA (GA. LAWS 1996, P.4469, ET SEQ.), APPROVED APRIL 15, 1996, AS AMENDED, SO AS TO PROVIDE THAT LEGISLATION REGARDING BUDGETED CONTRACTS PERTAINING TO AGENCIES UNDER THE JURISDICTION OF OTHER COMMITTEES DO NOT REQUIRE THE APPROVAL OR DISAPPROVAL OF THE FINANCE COMMITTEE; TO REPEAL CONFLICTING ORDINANCES AND CHARTER PROVISIONS; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1 Subsection (a) of section 6-304 (entitled, "Budget amendments") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, which currently provides as follows:

(a) The finance committee or equivalent committee of the governing body shall approve or disapprove all measures to expend money prior to their consideration by the governing body, provided that upon the committee's failure to report thereon by the second regular meeting of the governing body following a reference to the committee, the governing body may act on such measures without such report.

is hereby amended as follows:

(a) With the exception of budgeted contracts pertaining to the agencies under the jurisdiction of the other standing committees, the finance committee or equivalent committee of the governing body shall approve or disapprove all measures to expend money prior to their consideration by the governing body, provided that upon the committee's failure to report thereon by the second regular meeting of the governing body following a reference to the committee, the governing body may act on such measures without such report.

Section 2: A copy of this proposed amendment to the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, shall be filed in the Office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties and that a "Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia", attached hereto as Exhibit "A" and by reference, made a part hereof, be published in the official organ of the county of the legal situs of the City of Atlanta or in a newspaper of general circulation in the City of Atlanta once a week for three weeks within a period of 60 days immediately preceding its final adoption, and that a copy of said advertisement shall be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta.

Section 3: All ordinances and Charter Amendments and parts of ordinances and Charter Amendments in conflict herewith, are hereby repealed.

EXHIBIT "A"

**NOTICE OF PROPOSED AMENDMENT TO THE CHARTER
OF THE CITY OF ATLANTA, GEORGIA**

Notice is hereby given that an ordinance has been introduced to amend Subsection (a) of Section 6-304 (entitled, "Budget amendments") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, so as to provide that legislation regarding budgeted contracts pertaining to agencies under the jurisdiction of other committees do not require the approval or disapproval of the finance committee.

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties , Georgia, for purposes of examination and inspection by the public.

This _____ day of _____, 2006.

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta

RCS# 198
4/17/06
2:56 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-0918 06-O-0919 06-O-0920 0921 0922
06-O-0923 06-O-0924 06-O-0925 0926 0927
REFER 1ST READ

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	B Martin	Y Norwood
Y Young	NV Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Sheperd	NV Borders

MULTIPLE

AN ORDINANCE

BY COMMITTEE ON COUNCIL

06-0-0926

AN ORDINANCE AND CHARTER AMENDMENT ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965 (GA. LAWS 1965, P.298, ET SEQ.) AS AMENDED, TO AMEND SECTION 6-309 (ENTITLED, "ACCOUNTING SYSTEMS") OF THE CHARTER OF THE CITY OF ATLANTA, GEORGIA (GA. LAWS 1996, P.4469, ET SEQ.), APPROVED APRIL 15, 1996, AS AMENDED, SO AS TO CHANGE THE REQUIREMENT FOR THE SUBMISSION OF FINANCIAL STATEMENTS BY THE CHIEF FINANCIAL OFFICER FROM MONTHLY TO QUARTERLY; TO REPEAL CONFLICTING ORDINANCES AND CHARTER PROVISIONS; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1 Section 6-309 (entitled, "Accounting systems") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, which currently provides as follows:

The chief financial officer shall be responsible for the administration of the accounting systems of the city, for proper recording of receipts and disbursements of each department, fund, or other breakdown, and shall provide a financial statement not less than monthly to the mayor, governing body, and other agencies as may be required.

is hereby amended as follows:

The chief financial officer shall be responsible for the administration of the accounting systems of the city, for proper recording of receipts and disbursements of each department, fund, or other breakdown, and shall provide a financial statement not less than quarterly for the first, second and third fiscal quarter to the mayor, governing body, and other agencies as may be required. The Comprehensive Annual Financial Report (CAFR) shall serve as the fourth quarter's report.

Section 2: A copy of this proposed amendment to the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, shall be filed in the Office of the Municipal Clerk of the City of Atlanta

and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties and that a "Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia", attached hereto as Exhibit "A" and by reference, made a part hereof, be published in the official organ of the county of the legal situs of the City of Atlanta or in a newspaper of general circulation in the City of Atlanta once a week for three weeks within a period of 60 days immediately preceding its final adoption, and that a copy of said advertisement shall be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta.

Section 3: All ordinances and Charter Amendments and parts of ordinances and Charter Amendments in conflict herewith, are hereby repealed.

EXHIBIT "A"

**NOTICE OF PROPOSED AMENDMENT TO THE CHARTER
OF THE CITY OF ATLANTA, GEORGIA**

Notice is hereby given that an ordinance has been introduced to amend Section 6-309 (entitled, "Accounting systems") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, so as to change the requirement for the submission of financial statements by the chief financial officer from monthly to quarterly.

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties , Georgia, for purposes of examination and inspection by the public.

This _____ day of _____, 2006.

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta

RCS# 198
4/17/06
2:56 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-0918 06-O-0919 06-O-0920 0921 0922
06-O-0923 06-O-0924 06-O-0925 0926 0927
REFER 1ST READ

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	B Martin	Y Norwood
Y Young	NV Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Sheperd	NV Borders

MULTIPLE

AN ORDINANCE

06-0-0927

BY COMMITTEE ON COUNCIL

AN ORDINANCE AND CHARTER AMENDMENT ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965 (GA. LAWS 1965, P.298, ET SEQ.) AS AMENDED, TO AMEND SECTION 6-310 (ENTITLED, "INCREASE IN SALARIES") OF THE CHARTER OF THE CITY OF ATLANTA, GEORGIA (GA. LAWS 1996, P.4469, ET SEQ.), APPROVED APRIL 15, 1996, AS AMENDED, SO AS TO EXTEND THE TIME TO INCREASE SALARIES OR OTHER REMUNERATION FROM THE THIRD MONTH OF THE FISCAL YEAR TO THE SIXTH MONTH OF THE FISCAL YEAR; TO DELETE THE LAST SENTENCE THEREOF WHICH HAS BECOME OBSOLETE; TO REPEAL CONFLICTING ORDINANCES AND CHARTER PROVISIONS; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1, Section 6-310 (entitled, "Increase in salaries") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended which currently provides as follows:

The governing body shall not increase the salaries or other remuneration in any form of any officer or employee of the city during the fiscal year except by ordinance as finally adopted and approved on or before the last day of the third month of any fiscal year; however, normal salary increments as authorized by the city's pay plan and reclassifications may be provided for, salaries for new offices or positions may be fixed, salaries may be reduced because of economic conditions, or positions may be abolished. Notwithstanding the above, between May 1 and December 31, 1999, the council may by ordinance make a one-time, two-installment payment of a bonus to members of the fire department.

is hereby amended as follows:

The governing body shall not increase the salaries or other remuneration in any form of any officer or employee of the city during the fiscal year except by ordinance as finally adopted and approved on or before the last day of the sixth month of any fiscal year; however, normal salary increments as authorized by the city's pay plan and reclassifications may be provided for, salaries for new offices or positions may be fixed, salaries may be reduced because of economic conditions, or positions may be abolished.

Section 2: A copy of this proposed amendment to the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, shall be filed in the Office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties and that a "Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia", attached hereto as Exhibit "A" and by reference, made a part hereof, be published in the official organ of the county of the legal situs of the City of Atlanta or in a newspaper of general circulation in the City of Atlanta once a week for three weeks within a period of 60 days immediately preceding its final adoption, and that a copy of said advertisement shall be attached to this ordinance prior to its final adoption by the Council of the City of Atlanta.

Section 3: All ordinances and Charter Amendments and parts of ordinances and Charter Amendments in conflict herewith, are hereby repealed.

EXHIBIT "A"

**NOTICE OF PROPOSED AMENDMENT TO THE CHARTER
OF THE CITY OF ATLANTA, GEORGIA**

Notice is hereby given that an ordinance has been introduced to amend Section 6-310 (entitled, "Increase in salaries") of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p.4469, et seq.), approved April 15, 1996, as amended, so as to extend the time to increase salaries or other remuneration from the third month of the fiscal year to the sixth month of the fiscal year and to delete the last sentence thereof which has become obsolete.

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the Offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties , Georgia, for purposes of examination and inspection by the public.

This _____ day of _____, 2006.

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta

RCS# 198
4/17/06
2:56 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-0918 06-O-0919 06-O-0920 0921 0922
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REFER 1ST READ

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	B Martin	Y Norwood
Y Young	NV Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Sheperd	NV Borders

MULTIPLE

AN ORDINANCE BY

06-0-0970

COMMITTEE ON COUNCIL

AN ORDINANCE TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 2, SUBDIVISION II, SECTION 2-94 (ENTITLED, "USE OF ROBERT'S RULES OF ORDER.") OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, BY DELETING REFERENCES TO THE SEVENTH EDITION OF THE PUBLICATION; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the Committee on Council held work sessions and meetings to review the Code of Ordinances of the City of Atlanta to suggest and effectuate amendments thereto; and

WHEREAS, Chapter Two, Article II, Division 2, Subdivision II, Section 2-94 of the City Code of Ordinances authorizes the proceedings of the city council to be governed by the most current revised edition of Robert's Rules of Order; and

WHEREAS, Robert's Rules of Order is periodically revised; and

WHEREAS, it is the intent of the city council to use the most current revised edition of Robert's Rules of Order.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1: Chapter Two, Article II, Division 2, Subdivision II, Section 2-94, which reads:

Except as otherwise provided by this division, the proceedings of the council shall be governed by parliamentary proceedings, as set forth in the most current revised edition of Robert's Rules of Order, Newly Revised (seventh edition).

be hereby amended to read as follows:

Except as otherwise provided by this division, the proceedings of the council shall be governed by parliamentary proceedings, as set forth in the most current revised edition of Robert's Rules of Order, Newly Revised.

Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

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AN ORDINANCE BY

06-0971

COMMITTEE ON COUNCIL

AN ORDINANCE TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 1, SECTION 2-36 (d) (ENTITLED, "PRESIDENT OF COUNCIL.") OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, SO AS TO PROVIDE THAT VOTES OF COUNCIL MAY BE TAKEN BY VOICE OR ELECTRONIC MEANS, THAT ANY MEMBER OF COUNCIL MAY HAVE THE RIGHT TO REQUIRE A VOICE VOTE, AND THAT THE PRESIDENT SHALL VOTE ONLY IN CASE OF A TIE VOTE OF THE MEMBERS OF COUNCIL; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the committee on council held work sessions and meetings to review the Code of Ordinances of the City of Atlanta to suggest and effectuate amendments thereto; and

WHEREAS, Chapter Two, Article II, Division 1, Section 2-36 (d) of the Code of Ordinances outlines the process as to how the city council votes on questions propounded to the city council; and

WHEREAS, it is the intent of the City Council that said voting procedure be revised and more fully described.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1: Chapter Two, Article II, Division 1, Section 2-36 (d), which reads:

The president shall propound all questions to the council and shall declare the vote thereof upon voice vote or, if in doubt, upon a call of the vote. The president shall vote only if a tie vote of the council occurs.

be hereby amended to read as follows:

The president shall propound all questions to the council and shall declare the vote thereof upon voice vote or electronic vote, or if in doubt, upon a call of the vote. Any member of the council shall have the right to require "yeas" and nays' to be recorded on the Minutes in all cases. The president shall vote only if a tie vote of the council occurs.

Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

AN ORDINANCE BY

06-0-0972

COMMITTEE ON COUNCIL

AN ORDINANCE TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 2, SUBDIVISION II, SECTION 2-102 (ENTITLED, "VOTE TAKEN VIVA VOCE IN ALL ELECTIONS.") OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, SO AS TO MAKE VIVA VOCE VOTING OPTIONAL FOR ALL ELECTIONS BY THE CITY COUNCIL; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the Committee on Council held work sessions and meetings to review the Code of Ordinances of the City of Atlanta to suggest and effectuate amendments thereto; and

WHEREAS, Chapter Two, Article II, Division 2, Subdivision II, Section 2-102 of the City Code of Ordinances sets forth and makes mandatory that all elections by the city council be taken viva voce on the call of the roll by the Municipal Clerk; and

WHEREAS, it is the desire of the City Council to make viva voce votes on all elections by the city council optional.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1: Chapter Two, Article II, Division 2, Subdivision II, Section 2-102, which reads:

In all elections by the council the vote shall be taken viva voce on the call of the roll by the municipal clerk and shall be entered on the minutes of the council.

be hereby amended to read as follows:

In all elections by the council the vote may be taken viva voce on the call of the roll by the municipal clerk and shall be entered on the minutes of the council.

Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

AN ORDINANCE BY

06- 0-0973

COMMITTEE ON COUNCIL

AN ORDINANCE TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 4, SECTION 2-151 (b) (ENTITLED, "SERGEANT AT ARMS.") OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, SO AS TO REMOVE CERTAIN EMPLOYMENT QUALIFICATIONS FROM THE POSITION OF SERGEANT AT ARMS; TO DECLARE THAT THE SERGEANT AT ARMS SHALL RECEIVE NO REMUNERATION FOR HIS/HER DISCHARGE OF DUTIES; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the Committee on Council held work sessions and meetings to review the Code of Ordinances of the City of Atlanta to suggest and effectuate amendments thereto; and

WHEREAS, Chapter Two, Article II, Division 4, Section 2-151 of the City Code of Ordinances sets forth that the Sergeant at Arms appointee emanate from the civil service of the City of Atlanta; and

WHEREAS, it is the desire of the city council to appoint individuals, other than City of Atlanta employees, to serve as Sergeant at Arms; and

WHEREAS, it is the desire of the city council that the Sergeant at Arms receive no remuneration for his/her discharge of duties.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1: Chapter Two, Article II, Division 4, Section 2-151, which reads:

(b) The sergeant at arms shall be appointed from the civil service of the city and shall receive no additional compensation for discharge of the duties as such.

be hereby amended to read as follows:

(b) The sergeant at arms shall be appointed and shall receive no compensation for discharge of the duties as such.

Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

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COMMITTEE ON COUNCIL

AN ORDINANCE TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 1, SECTION 2-38 (ENTITLED, "CONFIRMATION OF APPOINTMENTS BY MAYOR.") OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, SO AS TO PROVIDE THAT ACTION ON THE MAYOR'S APPOINTMENTS SHALL ONLY REQUIRE A SIMPLE MAJORITY VOTE BY THE MEMBERS OF CITY COUNCIL; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the Committee on Council held work sessions and meetings to review the Code of Ordinances of the City of Atlanta to suggest and effectuate amendments thereto; and

WHEREAS, Chapter Two, Article II, Division 1, Section 2-38 of the City Code of Ordinances outlines the process for confirmation of appointments by the Mayor; and

WHEREAS, it is the intent of the city council that action on appointments by the Mayor require only a simple majority vote.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1: Chapter Two, Article II, Division 1, Section 2-38, which reads:

All appointments made by the mayor which by law must be confirmed by the council shall be referred both to the committee on the council and to the other appropriate standing committee of the council for review and report at the next regular council meeting. However, by two-thirds vote of the councilmembers present and voting, the council may vote to consider the appointment at the same meeting at which it is introduced.

be hereby amended to read as follows:

All appointments made by the mayor which by law must be confirmed by the council shall be referred both to the committee on the council and to the other appropriate standing committee of the council for review and report at the next regular council meeting. However, by two-thirds vote of the councilmembers, the council may vote to consider the appointment at the same meeting at which it is introduced. **Action on the appointment shall only require a simple majority vote.**

Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

AN ORDINANCE

BY COMMITTEE ON COUNCIL

AN ORDINANCE TO CREATE A NEW SECTION 2-47 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA TO BE ENTITLED "DIRECTOR OF COUNCIL STAFF; MUNICIPAL CLERK" WHICH SHALL PROVIDE THAT EACH COUNCIL MEMBER SHALL HAVE EQUAL ACCESS AND EQUAL AUTHORITY WITH RESPECT TO THE DUTIES AND RESPONSIBILITIES OF THE DIRECTOR OF COUNCIL STAFF AND THE MUNICIPAL CLERK; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: The Code of Ordinances of the City of Atlanta, Georgia is hereby amended by adding a new Section 2-47 to be entitled **Director of Council Staff; Municipal Clerk** which shall provide as follows;

"The director of council staff and the municipal clerk shall be responsible to the council. Each council member shall have equal access and equal authority with respect to the duties and responsibilities of the director of council staff and the municipal clerk."

Section 2: All ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

AN ORDINANCE BY

06-0 -0976

COMMITTEE ON COUNCIL

AN ORDINANCE TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 3, SUBDIVISION I, SECTION 2-134 (ENTITLED, "POWERS AND DUTIES.") OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, SO AS TO CONFORM THE LANGUAGE OF SUBSECTION (a) TO REFLECT THE CURRENT PRACTICE OF THE CITY COUNCIL; TO DELETE OBSOLETE TEXT; AND TO MAKE CERTAIN TECHNICAL CHANGES; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the Committee on Council held work sessions and meetings to review the Code of Ordinances of the City of Atlanta to suggest and effectuate amendments thereto; and

WHEREAS, it is the desire of the city council to conform the language of Chapter Two, Article II, Division 3, Subdivision I, Section 2-134 (Hereinafter "Section 2-134") (a) to reflect the current practice of the city council; and

WHEREAS, it is the desire of the city council to make certain technical changes to the text of 2-134, as well as, delete obsolete text from Section 2-134 (a); and

WHEREAS, Section 2-134 (b) is misplaced and ambiguous when read in conjunction with the Charter of the City of Atlanta, Section 2-402 (c), and should therefore be deleted.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1: Chapter Two, Article II, Division 3, Subdivision I, Section 2-134 (a), (b) and (c), which reads:

(a) All proposed ordinances and resolutions shall be referred by the president of the council to one of the standing committees of the council, which committee shall have primary jurisdiction over the matter contained in the proposed ordinance or resolution, unless there is objection, in which case the council shall determine to which of the standing committees the matter shall be referred. A current record of all legislation concerning financial and budgetary matters shall be maintained by the finance department and the finance department shall report on such current legislation at every finance and executive committee meeting in order to allow the finance and executive committee to maintain its budgetary oversight responsibility. This subsection shall not apply to any ordinance and resolutions that are not prohibited from being adopted on the same date as introduced. If the committee or primary jurisdiction determines that a second committee should vote on a paper, the paper must first go to the full council for a

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vote on the second referral. Notwithstanding the referral procedures set forth in this subsection, comprehensive development plan amendments shall follow the committee referral procedures set forth in Code section 6-3004.

All papers held in the committee at the end of 1996 shall be re-referred by the council president to the new committee that has primary jurisdiction over those papers at the first full council meeting in 1997.

All communications needing confirmation by the council shall be referred to both the committee(s) of purview and the committee on council.

(b) Those ordinances which may be adopted on second reading at the meeting at which they are introduced may be placed on second reading upon proper motion and approved by two-thirds of the members present. Upon second reading, the ordinances may be properly moved and approved for adoption.

(c) Each of the standing committees shall have the power of subpoena.

be hereby amended to read as follows:

(a) All proposed ordinances and resolutions shall be referred by the president of the council to one of the standing committees of the council, which committee shall have primary jurisdiction over the matter contained in the proposed ordinance or resolution, unless there is objection, in which case the council shall determine to which of the standing committees the matter shall be referred. This subsection shall not apply to any ordinance or resolution that can be adopted on the same date that it is introduced. If the committee of primary jurisdiction determines that a second committee should vote on a paper, the paper must first go to the full council for a vote on the second referral. Notwithstanding the referral procedures set forth in this subsection, comprehensive development plan amendments shall follow the committee referral procedures set forth in Code section 6-3004.

All communications needing confirmation by the council shall be referred to both the committee(s) of purview and the committee on council.

(b) Each of the standing committees shall have the power of subpoena.

Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

AN ORDINANCE BY

06-0-0977

COMMITTEE ON COUNCIL

AN ORDINANCE TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 3, SUBDIVISION I, SECTIONS 2-135 (a)(3), 2-135 (a)(4), 2-135 (a)(5), 2-135 (a)(6), AND 2-135 (a)(7), (ENTITLED, "JURISDICTION OF STANDING COMMITTEES.") OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, SO AS TO REVISE AND CLARIFY THE AREAS OF JURISDICTION FOR THE COMMITTEE ON CITY UTILITIES, THE COMMITTEE ON COMMUNITY DEVELOPMENT AND HUMAN RESOURCES, THE COMMITTEE ON FINANCE AND EXECUTIVE, THE COMMITTEE ON ZONING, AND THE COMMITTEE ON COUNCIL; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the committee on council held work sessions and meetings to review the Code of Ordinances of the City of Atlanta to suggest and effectuate amendments thereto; and

WHEREAS, Chapter Two, Article II, Division 3, Subdivision I, Section 2-135 (a)(3) of the Code of Ordinances lists the areas over which the committee on city utilities shall have jurisdiction; and

WHEREAS, it is the intent of the city council to revise the list of areas of jurisdiction for the committee on city utilities; and

WHEREAS, Chapter Two, Article II, Division 3, Subdivision I, Section 2-135 (a)(4) of the Code of Ordinances lists the areas over which the committee on community development and human resources shall have jurisdiction; and

WHEREAS, it is the intent of the city council to revise the list of areas of jurisdiction for the committee on community development and human resources ; and

WHEREAS, Chapter Two, Article II, Division 3, Subdivision I, Section 2-135 (a)(5) of the Code of Ordinances lists the areas over which the committee on finance and executive shall have jurisdiction; and

WHEREAS, it is the intent of the city council to revise the list of areas of jurisdiction for the committee on finance and executive; and

WHEREAS, Chapter Two, Article II, Division 3, Subdivision I, Section 2-135 (a)(6) of the Code of Ordinances lists the areas over which the committee on zoning shall have jurisdiction; and

WHEREAS, it is the intent of the city council to revise the list of areas of jurisdiction for the committee on zoning; and

WHEREAS, Chapter Two, Article II, Division 3, Subdivision I, Section 2-135 (a)(7) of the Code of Ordinances lists the areas over which the committee on the council shall have jurisdiction; and

WHEREAS, it is the intent of the city council to revise the list of areas of jurisdiction for the committee on the council.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1: Chapter Two, Article II, Division 3, Subdivision I, Section 2-135 (a)(3), which reads:

(1) Committee on city utilities.

- a. Sanitation and garbage.
- b. Sewage and waste disposal.
- c. Streets.
- d. Bridges.
- e. Matters pertaining to cable television.
- f. Water and water pollution control.
- g. All budgeted contracts pertaining to the agencies under the jurisdiction of this committee. [Subsections (3), (4), (5) and (6) of Section 2-135 are hereby renumbered as subsections (4), (5), (6) and (7) respectively].

be hereby amended to read as follows:

(1) Committee on city utilities.

- a. **Solid waste**, sanitation and garbage.
- b. Sewage and waste disposal.
- c. Streets.
- d. Bridges.
- e. Matters pertaining to cable television.
- f. **Department of Watershed Management.**
- g. **Department of Public Works.**
- h. All budgeted contracts pertaining to the agencies under the jurisdiction of this committee.

Section 2: Chapter Two, Article II, Division 3, Subdivision I, Section 2-135 (a)(4), which reads:

- (4) Committee on community development and human resources.
 - a. The planning functions of the city.
 - b. Comprehensive development plans, land use plans in conjunction with the committee on zoning.
 - c. Matters pertaining to the reformulation and development of neighborhoods and neighborhood structures within the city including but not limited to the community and urban redevelopment programs and empowerment zone programs.
 - d. Economic development.
 - e. Housing code enforcement.
 - f. Parks and recreation.
 - g. Model neighborhood program.
 - h. Manpower training program.
 - i. Matters pertaining to health, education and welfare.
 - j. All community services activities of the city.
 - k. Consumer affairs.
 - l. Civic center.
 - m. Cultural affairs.
 - n. Convention and tourism.
 - o. All budgeted contracts pertaining to the agencies under the jurisdiction of this committee.

be hereby amended to read as follows:

- (4) Committee on community development and human resources.
 - a. The planning functions of the city.
 - b. Comprehensive development plans, land use plans in conjunction with the committee on zoning.
 - c. Matters pertaining to the reformulation and development of neighborhoods and neighborhood structures within the city including but not limited to the community and urban redevelopment programs, **the Atlanta Development Authority, and renewal communities program.**
 - d. Economic development matters.
 - e. Housing **and building** code enforcement .
 - f. Parks and recreation.
 - g. **Atlanta Housing Authority and ACORA Board.**
 - h. **Atlanta Workforce Development Agency.**
 - i. Matters pertaining to health, education and welfare.
 - j. All community services activities of the city.
 - k. Consumer affairs.
 - l. Civic center.

- m. Cultural affairs.
- n. Convention and tourism.
- o. All budgeted contracts pertaining to the agencies under the jurisdiction of this committee.

Section 3: Chapter Two, Article II, Division 3, Subdivision I, Section 2-135 (a)(5), which reads:

(5) Committee on finance and executive.

- a. All matters pertaining to the budget and to transfers of appropriations:
- b. All matters pertaining to the administration of taxing ordinances and to public revenue.
- c. Tax officials and collectors.
- d. Department of finance.
- e. All licenses other than licenses issued under the police power of the city.
- f. Matters pertaining to cable television.
- g. All matters pertaining generally to legislative oversight of the executive branch of government and specifically those components in the department of administrative services which relate to purchasing functions of the city, including award to the second low bidder, and change orders.
- h. Department of personnel and human resources.
- i. The operation of the office of the mayor.
- j. Office of contract compliance.
- k. Intergovernmental relations with county, state and federal authorities.
- l. International and diplomatic affairs.
- m. All budgeted contracts pertaining to the agencies under the jurisdiction of this committee.

be hereby amended to read as follows:

(5) Committee on finance and executive.

- a. Matters pertaining to the budget and to transfers of appropriations:
- b. All matters pertaining to the administration of taxing ordinances and to public revenue.
- c. Tax officials and collectors.
- d. Department of finance.
- e. All licenses other than licenses issued under the police power of the city.
- f. Matters pertaining to cable television **in the Mayor's Office of Communications.**
- g. All matters pertaining generally to legislative oversight of the executive branch of government and specifically those components in the department of administrative services which relate to purchasing functions of the city, including award to the second low bidder, and change orders.
- h. Department of personnel and human resources.

- i. The operation of the office of the mayor.
- j. Office of contract compliance.
- k. Intergovernmental relations with county, state and federal authorities.
- l. International and diplomatic affairs.
- m. All budgeted contracts pertaining to the agencies under the jurisdiction of this committee.

Section 4: Chapter Two, Article II, Division 3, Subdivision I, Section 2-135 (a)(6), which reads:

(6) Committee on zoning.

- a. The land subdivision ordinance of the city (part 15 of this Code).
- b. The zoning ordinance of the city (part 16 of this Code).
- c. Land use plans in conjunction with the committee on community development.
- d. The building code.
- e. All budgeted contracts pertaining to the agencies under the jurisdiction of this committee.

be hereby amended to read as follows:

(6) Committee on zoning.

- a. The land subdivision ordinance of the city (part 15 of this Code).
- b. The zoning ordinance of the city (part 16 of this Code).
- c. Land use plans in conjunction with the committee on community development.
- d. All budgeted contracts pertaining to the agencies under the jurisdiction of this committee.

Section 5: Chapter Two, Article II, Division 3, Subdivision I, Section 2-135 (a)(7), which reads:

(7) Committee on the council.

- a. All operations of the council, its officers and employees.
- b. All appointments of the executive branch which by law must be approved or confirmed by the council.
- c. All questions pertaining to conflicts of interest.
- d. The revision, codification and clarification of all ordinances and examination of all proposed ordinances and resolutions as to their clarity.
- e. Formulation of the agenda of the council.
- f. All matters pertaining to elections, initiatives and referenda.
- g. The rules of the council and any modifications thereof.
- h. The conduct, decorum and good repute of the council and the members thereof.
- i. Expenditures of funds appropriated for the council.

- j. Review of nominations for staff positions of director of council staff, municipal clerk and auditor.
- k. All budgeted contracts pertaining to the agencies under the jurisdiction of this committee.

be hereby amended to read as follows:

(7) Committee on the council.

- a. All operations of the council, its officers and employees.
- b. All appointments of the executive branch which by law must be approved or confirmed by the council.
- c. All questions pertaining to conflicts of interest **and standards of conduct.**
- d. The revision, codification and clarification of all ordinances and examination of all proposed ordinances and resolutions as to their clarity.
- e. Formulation of the agenda of the council.
- f. All matters pertaining to elections, initiatives and referenda.
- g. The rules of the council and any modifications thereof.
- h. The conduct, decorum and good repute of the council and the members thereof.
- i. Expenditures of funds appropriated for the council.
- j. Review of nominations for staff positions of director of council staff **and** municipal clerk.
- k. All budgeted contracts pertaining to the agencies under the jurisdiction of this committee.

Section 6: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

AN ORDINANCE BY

06-0-0978

COMMITTEE ON COUNCIL

AN ORDINANCE TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 2, SUBDIVISION II, SECTION 2-101 (d) (ENTITLED, "DEBATE.") OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, SO AS TO CLARIFY THE METHOD COUNCILMEMBERS MAY USE TO SEEK RECOGNITION BEFORE SPEAKING DURING CITY COUNCIL MEETINGS; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the committee on council held work sessions and meetings to review the Code of Ordinances of the City of Atlanta to suggest and effectuate amendments thereto; and

WHEREAS, Chapter Two, Article II, Division 2, Subdivision II, Section 2-101 (d) of the Code of Ordinances describes the method by which councilmembers may be recognized by the chair before speaking at city council meetings; and

WHEREAS, it is the intent of the city council to clarify the procedure that councilmembers may use to seek such recognition.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1: Chapter Two, Article II, Division 2, Subdivision II, Section 2-101, which reads:

In all meetings of the council, each member before speaking shall rise and address the chair and state the reason for seeking recognition. When recognized by the chair, the speaker shall confine remarks to the question under debate and shall avoid all personal or indecorous language. No member shall interrupt another while speaking, except to rise for a point of order, the point to be briefly stated to the presiding officer, or to ask a question for information only.

be hereby amended to read as follows:

In all meetings of the council, each member before speaking shall raise his or her hand to address the chair and state the reason for seeking recognition. When recognized by the chair, the speaker shall confine remarks to the question under debate and shall avoid all personal or indecorous language. No member shall interrupt another while speaking, except to call for a point of order, the point to be briefly stated to the presiding officer, or to ask a question for information only.

Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

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AN ORDINANCE BY

COMMITTEE ON COUNCIL

AN ORDINANCE TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 3, SUBDIVISION I, SECTIONS 2-132 (b), 2-132 (d), AND 2-132 (g) (ENTITLED, "APPOINTMENT; TERM; VACANCY.") OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, SO AS TO CLARIFY THE TIMES FOR APPOINTMENT OF CITY COUNCIL MEMBERS TO CITY COUNCIL COMMITTEES, TO PROVIDE THAT COMMITTEE CHAIRPERSONS SHALL JOIN THE COUNCIL PRESIDENT IN SCHEDULING THE DAY AND TIME OF CITY COUNCIL COMMITTEE MEETINGS; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the committee on council held work sessions and meetings to review the Code of Ordinances of the City of Atlanta to suggest and effectuate amendments thereto; and

WHEREAS, Chapter Two, Article II, Division 3, Subdivision I, Section 2-132 (b) of the Code of Ordinances makes reference to appointments to city council standing committees made after quadrennial elections that are held on the first Tuesday after the first Monday in October, when such elections are actually held on the first Tuesday after the first Monday in November; and

WHEREAS, it is the intent of the city council to correct said reference; and

WHEREAS, Chapter Two, Article II, Division 3, Subdivision I, Section 2-132 (d) of the Code of Ordinances fails to recognize the different committee appointment schedule that is required every four years after quadrennial elections are held; and

WHEREAS, it is the intent of the city council to clarify the procedure for appointments of councilmembers to city council committees following quadrennial elections; and

WHEREAS, Chapter Two, Article II, Division 3, Subdivision I, Section 2-132 (g) of the Code of Ordinances provides that the council president shall determine the days and times of regular city council committee meetings; and

WHEREAS, it is the intent of the city council to provide that such determinations by the council president shall be made in consultation with each committee chairperson.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA,
GEORGIA** as follows:

Section 1: Chapter Two, Article II, Division 2, Subdivision II, Section 2-132 (b), which reads:

Section 2-132(b): All such appointments shall be for one year. However, in the year of each general city election held quadrennially on the first Tuesday after the first Monday in October, the annual committee appointments shall be made as provided in this section by the incoming president of the council in January following the quadrennial general city election after the incoming president of the council and incoming council have taken office.

be hereby amended to read as follows:

Section 2-132(b): All such appointments shall be for one year. However, in the year of each general city election held quadrennially on the first Tuesday after the first Monday in November, the annual committee appointments shall be made as provided in this section by the incoming president of the council in January following the quadrennial general city election after the incoming president of the council and incoming council have taken office.

Section 2: Chapter Two, Article II, Division 2, Subdivision II, Section 2-132 (d), which reads:

Section 2-132(d): Any such appointment shall be subject to rejection by a majority vote of the total membership of the council. All motions to reject annual committee appointments that have been made by the president shall be made by the council at the next regular meeting of the council following the annual committee appointments by the president. A motion to reject any committee appointment shall be considered a question of privilege and shall take precedence over all other business before the council. However, for committee appointments by the president other than annual committee appointments made at the first council meeting in December, no motion to reject any such appointment by the president to any committee shall be in order, unless the motion shall be made at the meeting of the council next succeeding the announcement by the president of such appointment.

be hereby amended to read as follows:

Section 2-132(d): Any such appointment shall be subject to rejection by a majority vote of the total membership of the council. All motions to reject annual committee appointments that have been made by the president shall be made by the council at the next regular meeting of the council following the annual committee appointments by the president. A motion to reject any committee appointment shall be considered a question of privilege and shall take precedence over all other business before the council. However, for committee appointments by the president other than annual committee

appointments made at the first council meeting in December **or the first meeting in January after each quadrennial election**, no motion to reject any such appointment by the president to any committee shall be in order, unless the motion shall be made at the meeting of the council next succeeding the announcement by the president of such appointment.

Section 3: Chapter Two, Article II, Division 2, Subdivision II, Section 2-132 (g), which reads:

Section 2-132(g): The regular committee meetings, with the exception of the committee on council, which shall meet the Monday of council meetings, shall take place on two days of the week preceding council meetings. These days and times shall be determined by the council president.

be hereby amended to read as follows:

Section 2-132(g): The regular committee meetings, with the exception of the committee on council, which shall meet the Monday of council meetings, shall take place on two days of the week preceding council meetings. These days and times shall be determined by the council president **in consultation with each committee chairperson**.

Section 4: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

AN ORDINANCE

06-0-0980

BY COMMITTEE ON COUNCIL

AN ORDINANCE TO AMEND SECTION 2-801 (4) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA (THE DEFINITION SECTION OF THE ETHICS CODE) SO AS TO EXCLUDE FROM THE DEFINITION OF "GRATUITY", HOSPITALITY OR MEALS FROM ANY SOURCE HAVING A VALUE OF \$50.00 OR LESS; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

Whereas, officers and employees of the City of Atlanta should be able to enjoy the modest hospitality of and social interaction with other people, without the stigmatization of ethical wrongdoing; and

Whereas, the current Ethics Code is silent on the issue of accepting hospitality or meals from any source when the cost of such hospitality or meals is of a modest amount; and

Whereas, the Ethics Code should be amended to reflect the acceptance of this practice.

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS as follows:

Section 1: Section 2-801 of the Code of Ordinances of the City of Atlanta, Georgia, which currently provides as follows:

Sec. 2-801. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agency means any board, bureau, body, commission, committee, department or office of the city, including any joint board to which the council or the mayor has appointment powers.

Business means any corporation, partnership, proprietorship, organization, self-employed individual and any other entity operated for economic gain, whether professional, industrial or commercial, and entities which for purposes of federal income taxation are treated as nonprofit organizations.

Direct ownership, leasehold or option interest in real property means the holding or possession of good legal or rightful title of property or the holding of real or beneficial use of the property by an official or employee, including any interest owned or held by the spouse of the official or employee if such interest is held jointly or as tenants in common.

Confidential information means information which has been obtained in the course of holding public office, employment, an independent contract or otherwise acting as an official or employee, and which information is not available to members of the public under state law or other law or regulation and which the official or employee is not authorized to disclose.

Filing means delivered to the municipal clerk by the end of the designated business day or, if the designated day is not a business day, the first business day thereafter or depositing in the United States mail, properly addressed, with adequate postage affixed, postmarked by the designated day; or any other method of delivery authorized by the board of ethics.

Financial interest means any interest which shall yield, directly or indirectly, a monetary or other material benefit to the official or employee, other than the duly authorized salary or compensation for the official's or employee's services to the city, or to any person employing or retaining the services of the official or employee or to the official's or employee's immediate family.

Gratuity means anything of value given by or received from a prohibited source; provided, however, that the term "gratuity" within the meaning of this division does not include any of the following:

- (1) Payment by the city of salaries, compensation, expenses, or employee benefits; or payment by an employer or business other than the city of salaries, compensation, expenses, or employee benefits or payment of fees for services rendered pursuant to a contract, when the payment is unrelated to the official's or employee's status with the city and is not made for the purpose of influencing, directly or indirectly, the vote, official action or decision of the official or employee; or
- (2) Campaign or political contributions made and reported in accordance with state law; or
- (3) Reasonable meals or refreshments furnished in connection with an official's or employee's appearance in an official capacity at a public, civic, charitable or non-profit ceremony, event, convention or conference whether the sponsor of the event does or does not do business with the city; or
- (4) Hospitality, or meals, extended for a social, charitable, non-profit, convention, conference, or business purpose unrelated to the official business of the city; or
- (5) Reimbursements from non-city sources of reasonable hosting expenses, including travel, meals, and lodging, provided to an official or employee in connection with speaking engagements, participation on professional or civic panels, teaching, or attendance at conferences in an official capacity; provided, however, that receipt of such reimbursements is subject to the reporting requirements governing disclosure of expense reimbursements found at section 2-815; or
- (6) An award, plaque, certificate, memento, novelty or similar item given in recognition of the recipient's civic, charitable, political, professional, or public service; or
- (7) Nominal gifts or other tokens of recognition presented by representatives of governmental bodies or political subdivisions who are acting in their official capacities; or
- (8) Anything of value when the thing of value is offered to the city, is accepted on behalf of the city, and is to remain the property of the city provided that the recipient complies with the provisions governing solicitation found at section 2-818; or

(9) Commercially reasonable loans made in the ordinary course of the lender's business in accordance with prevailing rates and terms, and which do not discriminate against or in favor of an official or employee because of such individual's status; or

(10) Anything of value received as a devise, bequest or inheritance; or

(11) A gift received from the official's or employee's immediate family or a relative within the third degree of consanguinity under the civil law computation method.

Honorarium means a payment of money or anything of value for any service, including but not limited to an appearance, speech or article, or a series of appearances, speeches, or articles, if the subject matter is related to the official's or employee's official duties or the payment is made because of the official's or employee's status with the city.

Immediate family means the spouse, domestic partner registered under section 94-133, and dependent natural or adopted children of an official or employee.

Income means any money or item of value in excess of \$5,000.00 received or to be received as a claim on any future services, including but not limited to fees, salaries or commissions.

Official or employee means any person elected or appointed to or employed or retained by the city or any agency, whether paid or unpaid and whether part time or full time. This definition includes retired employees or former city employees during the period of time in which they are later employed or retained by the city or any agency.

Personal interest means any interest arising from relationships with immediate family or from business, partnership or corporate associations, whether or not any financial interest is involved.

Prohibited source means any person, business or entity that an official or employee knows or should know:

(1) Is seeking official action from the city; or

(2) Is seeking to do or does business with the city; or

(3) represents a client who meets the definitions in subparagraphs (1) or (2) above; or

(4) Has interests that may be substantially affected by performance or non-performance of the official's or employee's official duties; or

(5) Is a registered lobbyist in accordance with state law.

is hereby amended by adding to subsection (4) thereof, the following language:

“hospitality or meals from any source having a value of \$50.00 or less”,

So that when amended, said section shall provide as follows:

Sec. 2-801. Definitions.

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- (2) Campaign or political contributions made and reported in accordance with state law; or
- (3) Reasonable meals or refreshments furnished in connection with an official's or employee's appearance in an official capacity at a public, civic, charitable or non-profit ceremony, event, convention or conference whether the sponsor of the event does or does not do business with the city; or
- (4) Hospitality, or meals, extended for a social, charitable, non-profit, convention, conference, or business purpose unrelated to the official business of the city or **hospitality or meals from any source having a value of \$50.00 or less; or**
- (5) Reimbursements from non-city sources of reasonable hosting expenses, including travel, meals, and lodging, provided to an official or employee in connection with speaking engagements, participation on professional or civic panels, teaching, or attendance at conferences in an official capacity; provided, however, that receipt of such

reimbursements is subject to the reporting requirements governing disclosure of expense reimbursements found at section 2-815; or

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(7) Nominal gifts or other tokens of recognition presented by representatives of governmental bodies or political subdivisions who are acting in their official capacities; or

(8) Anything of value when the thing of value is offered to the city, is accepted on behalf of the city, and is to remain the property of the city provided that the recipient complies with the provisions governing solicitation found at section 2-818; or

(9) Commercially reasonable loans made in the ordinary course of the lender's business in accordance with prevailing rates and terms, and which do not discriminate against or in favor of an official or employee because of such individual's status; or

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(3) represents a client who meets the definitions in subparagraphs (1) or (2) above; or

(4) Has interests that may be substantially affected by performance or non-performance of the official's or employee's official duties; or

(5) Is a registered lobbyist in accordance with state law.

Section 2: All ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.